

1 THE HONORABLE JOHN C. COUGHENOUR
2
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 WANNA CHOI, an individual,

CASE NO. C16-0901-JCC

11 Plaintiff,

ORDER

v.

12 WELLS FARGO, N.A. *et al.*,

13 Defendants.

14
15 This matter comes before the Court on Defendants Wells Fargo Bank, N.A. and
16 Wachovia Mortgage FSB's motion for relief from deadlines and for other relief (Dkt. No. 24).
17 Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral
18 argument unnecessary and hereby GRANTS in part the motion for the reasons explained herein.

19 **I. CASE MANAGEMENT DATES**

20 Defendants request relief from the discovery and mediation deadlines set by the Court.
21 (Dkt. No. 25 at 5.) Plaintiff stipulates to a 60- to 90-day extension of these deadlines. (Dkt. No.
22 28 at 2.) Defendant requests a corresponding trial continuance. (Dkt. No. 29 at 1.) Finding good
23 cause, the Court hereby CONTINUES the bench trial in this matter from June 4, 2018 to
24 **October 1, 2018**. The mediation deadline is EXTENDED from December 15, 2017 to **April 15, 2018**.
25 The proposed pretrial order, pretrial motions, and motions in limine are due by **September 21, 2018**, and trial briefs are due by **September 24, 2018**. Discovery cutoff is 120 days before

1 the new trial date and the dispositive motions filing deadline 90 days before the new trial date.

2 **II. OTHER RELIEF**

3 Defendant initially asked the Court to issue an order to show cause why the Court should
4 not dismiss the case or grant other equitable relief given Plaintiff's failure to comply with Court
5 deadlines or respond to discovery requests. (Dkt. No. 24 at 2.) In response to this motion,
6 Plaintiff entered a *pro se* appearance and agreed to extend case management deadlines. (Dkt. No.
7 28 at 1.) The Court notes that Plaintiff's counsel withdrew in September 2017, and Plaintiff has
8 had ample time to either find new counsel or enter a *pro se* appearance. (*See* Dkt. No. 25 at 3.)
9 Furthermore, Local Civil Rule 16 requires parties proceeding without counsel to comply in all
10 respects with obligations imposed upon "counsel" under the rule. W.D. Wash. Local Civ. R.
11 16(m). Given Plaintiff's failure to comply with case deadlines in the past, and the fact that the
12 Court has granted multiple extensions and continuances in this case, the Court reserves decision
13 on whether to grant additional relief in the future if Plaintiff fails to comply with the Court's
14 orders and rules going forward.

15 **III. DEFENDANT NOT SERVED**

16 This final issue comes before the Court *sua sponte*. There is no indication that Plaintiff
17 has served named Defendant First American Title Insurance Company ("First American"),
18 although this case has been pending before the Court since June 2016. (*See* Dkt. No. 1.) Plaintiff
19 is hereby ORDERED to show cause by March 2, 2018 why Defendant First American should not
20 be dismissed from this action, or why the Court should extend time for service, in accordance
21 with Federal Rule of Civil Procedure 4(m).

22 **IV. CONCLUSION**

23 For the foregoing reasons, Defendants' motion for relief (Dkt. No. 24) is GRANTED in
24 part. The trial date is CONTINUED to **October 1, 2018**. Other case management dates are
25 extended as outlined herein. Plaintiff must answer the Court's order to show cause by **March 2,**
26 **2018.**

1
2 DATED this 16th day of February 2018.
3
4

5 
6

7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26